



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**  
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	<b>BOARD OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS</b>
MEETING DATE AND TIME:	<b>Wednesday, June 27, 2012 at 12:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES APPROVED	08/22/2012

**MEMBERS PRESENT**

Lisa Ritchie, LCDP, **President**, Presiding  
Daniel Cooper, LPCMH, **Vice President** (12:04 p.m. – 5:04 p.m.)  
Ruth Banta, Public Member, **Secretary**  
Robert Doyle, Public Member  
Dr. Gregg Drevno, Ph.D., LPCMH  
Dr. Tracey Frazier, Psy.D., LCDP (12:07 p.m. – 5:59 p.m.)  
Joan McDonough, Public Member  
Dr. Julius Mullen, Ed.D., LPCMH  
Dr. William Northey, Ph.D., LMFT  
Elisabeth Vassas, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Kristin Gibbons, Hearing Officer  
William Smith, License Investigator II  
Danny Stevenson, Deputy Attorney General  
Jessica Williams, Administrative Specialist II

**MEMBERS ABSENT**

Daniel Cherneski, LMFT  
Mary Davis, LCDP  
Tracy Hansen, LMFT

**ALSO PRESENT**

Stacey Farraday  
Stacey Stewart  
Lori Malloy, The Mind & Body Consortium  
Michelle Manuszak, The Mind & Body Consortium  
A. Wayne Meluney, The Mind & Body Consortium  
Gregory Morris, Esq.  
William Precourt  
Justin Shuler  
Shawn VanVessen, The Mind & Body Consortium  
Judi Weiner  
Sheldon Weiner

## **CALL TO ORDER**

Ms. Ritchie called the meeting to order at 12:04 p.m.

## **REVIEW OF MINUTES**

### **MHCDP Meeting Minutes – May 23, 2012**

The Board reviewed the May 23, 2012 meeting minutes for approval. Dr. Northey made a motion, seconded by Ms. Banta, to approve the minutes as written. Motion unanimously carried.

## **NEW BUSINESS**

### **Review of Application for LPCMH Licensure by Certification – Brenda Smith**

The Board reviewed Brenda Smith's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Drevno, to **approve** the application. Motion unanimously carried.

### **Review of Application for LPCMH Licensure by Certification – Rebecca Trent**

The Board reviewed Rebecca Trent's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Drevno, to **approve** the application. Motion unanimously carried.

### **Review of Application for LPCMH Licensure by Certification – Shana Powell**

The Board reviewed Shana Powell's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Drevno, to **approve** the application. Motion unanimously carried.

### **Review of Application for LPCMH Licensure by Certification – Tiffany Jester**

The Board reviewed Tiffany Jester's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Mullen, to **approve** the application. Motion unanimously carried.

### **Review of Application for LPCMH Licensure by Certification – Malia Boone**

The Board reviewed Malia Boone's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Mullen, to **approve** the application. Motion unanimously carried.

### **Review of Application for LPCMH Licensure by Certification – Ann Wright**

The Board reviewed Ann Wright's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Dr. Drevno, to **approve** the application. Motion unanimously carried.

### **Review of Application for LPCMH Licensure by Certification – Frances Carlin**

The Board reviewed Frances Carlin's application for LPCMH licensure by certification. Mr. Cooper made a motion, seconded by Mr. Doyle, to **approve** the application. Motion unanimously carried.

## **HEARING**

### **Hearing to Consider Request to Lift Probation from Stacey Farraday (12:15 p.m.)**

At 12:18 p.m., Ms. Ritchie called the formal hearing to order on the request for removal of probation from Stacey Farraday. The Board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Mr. Stevenson stated the purpose of the hearing. Ms. Farraday was present and Mr. Stevenson verified that she waived her right to counsel, as well as her twenty day notice of a hearing. The following exhibit was marked as Board Exhibit 1: the signed consent agreement dated December 14, 2011. Ms. Farraday was sworn in, presented her case, and responded to questions asked by the Board members. The following exhibits were marked as Respondent Exhibit 1: written notice from Ms. Farraday waiving her twenty day notice to a hearing; a performance evaluation; and continuing education documentation.

At 12:23 p.m., the Board went off the record for deliberations. At 12:26p.m., the Board went back on the record. Dr. Northey made a motion, seconded by Dr. Drevno, to lift Ms. Farraday's probationary status based on the fact that she has met all requirements set forth in the consent agreement and that Ms. Farraday is to be flagged for the next post-renewal audit. Motion unanimously carried. The hearing concluded at 12:28 p.m. Mr. Stevenson will prepare an Order for the Board to sign during their next regularly scheduled meeting.

Formal Hearing for Case 33-04-11 (Michelle Manuszak) (12:15 p.m.)

At 12:29 p.m., Ms. Ritchie called the formal hearing to order on Case 33-04-141. Ms. Ritchie verified that there were no disqualified members participating in the hearing. Dr. Mullen recused himself from the hearing. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Ms. Manuszak was present and was represented by Gregory Morris, Esquire. Ms. Ritchie granted Ms. Stewart's and Mr. Morris' requests to sequester all witnesses. Ms. Stewart admitted the following exhibits into evidence: State Exhibit 1: Statement of Complaint; State Exhibit 2: Subpoena for the Documents pertaining to Ms. Manuszak's Counseling Sessions; State Exhibit 3: Ms. Manuszak's letter dated September 13, 2010; State Exhibit 4: A Copy of Ms. Manuszak's Deposition taken on November 8, 2010; State Exhibit 5: Ms. Manuszak's Written Response to the Complaint dated July 1, 2011; State Exhibit 6: A letter dated September 14, 2010 written by Ms. Shawn VanVessen. The Board heard opening remarks from Ms. Stewart and Mr. Morris.

Ms. Stewart called the State's first witness, Mr. Sheldon Weiner, to testify. Mr. Weiner was sworn in and responded to questions asked by Ms. Stewart, Mr. Morris and the Board members. Ms. Stewart requested that Ms. Manuszak be sworn in and testify as State's Witness 2. Ms. Manuszak was sworn in and responded to questions asked by Ms. Stewart, Mr. Morris and Board members.

The Board observed a brief recess from 2:10 p.m. until 2:21 p.m.

Ms. Stewart called Dr. Julius Mullen to testify as an expert witness. Dr. Mullen was admitted as an expert witness with Mr. Morris' objection. Dr. Mullen was sworn in, and responded to questions from Ms. Stewart and Mr. Morris. Ms. Stewart then called A. Wayne Meluney, as the State's Witness 4. Mr. Meluney was sworn in and responded to questions asked by Ms. Stewart and Mr. Morris.

The Board observed a brief recess from 3:20 p.m. until 3:30 p.m.

Mr. Morris called Ms. Shawn VanVessen to testify on behalf of Ms. Manuszak. Ms. VanVessen was sworn in and responded to questions asked by Mr. Morris and the Board members. Mr. Morris called Ms. Lori Malloy to testify. Ms. Malloy was sworn in, and answered questions asked by Mr. Morris, Ms. Stewart and the Board members.

Mr. Morris called Mr. William Precourt to testify on Ms. Manuszak's behalf. Mr. Precourt was sworn in and answered questions from Mr. Morris. Ms. Stewart and Mr. Morris presented their closing statements to the Board. At 4:25 p.m., the Board went off the record for deliberations.

At 5:39 p.m., the Board went back on the record. Dr. Drevno moved, seconded by Dr. Northey that Ms. Manuszak violated sections A6, A7, and A13 of the National Board of Certified Counselor's Code of Ethics and violated Rule 2.5 of the Board's Rules and Regulations. Motion unanimously carried. Mr. Northey moved, seconded by Mr. Doyle, that as a consequence of the violations, Ms. Manuszak's license is to be suspended for three months; during the three month suspension, Ms. Manuszak must identify a Board approved clinical supervisor who will develop a professional development plan; and complete 6 face to face continuing educational courses in ethics; 3 hours of continuing education relating to legal & ethical issues of families facing divorce/separation; and 3 hours of continuing education relating to documentation and treatment plans. After completing the stipulations during the three month suspension, Ms. Manuszak will be placed on 12 months of probation; during the probationary period Ms. Manuszak must complete the professional development plan. Ms. Manuszak may petition the Board for reinstatement, one year from the date of the signed Order. Motion carried with Dr. Drevno opposed. An Order will be prepared for the Board President's signature. The hearing concluded at 5:42 p.m.

Mr. Morris addressed the Board regarding the disciplinary sanctions. He stated that the State did not suggest any punishment, nor did he. Mr. Morris stated that the purpose of the hearing was to determine if Ms. Manuszak was guilty of the violations and that the Board should consider mitigating factors to determine punishment. Mr. Stevenson advised Mr. Morris that the formal complaint requested that the Board impose such disciplinary measures as the Board deems appropriate. Mr. Stevenson advised Mr. Morris that since Ms. Stewart was no longer available, he can submit a written request to the Board to reopen Ms. Manuszak's case for disciplinary purposes only.

### **UNFINISHED BUSINESS**

#### **Update from the Legislative Committee**

This item was deferred until the Board's next regularly scheduled meeting.

### **NEW BUSINESS**

#### **Review of Application for LPCMH Licensure by Reciprocity – Michelle Reed**

The Board reviewed Michelle Reed's application for LPCMH licensure by reciprocity. Dr. Drevno made a motion, seconded by Dr. Mullen, to **approve** the application **contingent upon receipt of verification of NBCC certification**. Motion unanimously carried.

#### **Review of Application for LCDP Licensure by Reciprocity – Pamela Fusco**

The Board reviewed Pamela Fusco's application for LCDP licensure by reciprocity. Dr. Northey made a motion, seconded by Ms. Frazier, to **approve** the application. Motion unanimously carried.

#### **Review of Application for LCDP Licensure by Certification – Allen Harris**

The Board reviewed Allen Harris' application for LCDP licensure by certification. Mr. Doyle made a motion, seconded by Dr. Drevno, to **table** the application for **official court disposition from Virginia**. Motion unanimously carried.

**Discussion Regarding Executive Order 36 – Daniel Stevenson**

Mr. Stevenson advised the Board that Governor Markell signed Executive Order 36. The Board will need to review their regulations to ensure that there are no outdated, ineffective or redundant regulations.

**Correspondence**

There was no correspondence.

**Other Business (for discussion only)**

There was no other business before the Board.

**Public Comment**

Ms. Manuszak asked when her suspension would begin, Mr. Stevenson advised her that her suspension would begin immediately.

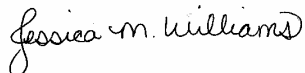
**Next Meeting Date**

The Board's next meeting is scheduled for August 22, 2012, at 12:00 p.m., in Conference Room A, of the Cannon Bldg., 861 Silver Lake Blvd., Dover, Delaware.

**Adjournment**

Dr. Northey made a motion, seconded by Dr. Drevno, to adjourn. Motion unanimously carried. There being no further business before the Board, the meeting adjourned at 5:59 p.m.

Respectfully submitted,



Jessica M. Williams  
Administrative Specialist II